

- 1 Food stamps
  - 2 Senior meals (nutrition site or meals-on-wheels)
  - 3 Commodity distribution
  - 4 Food banks
  - 5 Soup kitchen
  - 6 None of the above
59. Your primary source(s) of income is/are (circle the number(s) of the two major sources of income that apply for your answer(s).)
- 1 Senior Community Service Employment Program
  - 2 Paid private/public employment
  - 3 Social Security
  - 4 Supplemental Security Income (SSI)
  - 5 General assistance/welfare (GA)
  - 6 Aid to families with dependent children, including grandparents (AFDC)
  - 7 Pension
  - 8 Military benefits
  - 9 Money from relatives

- 10 Food stamps
  - 11 Other, please explain \_\_\_\_\_
60. The highest education level you have completed is (circle the number of your answer.)
- 1 8th grade or under
  - 2 9th–12th grade (but did not graduate)
  - 3 High school graduate
  - 4 GED
  - 5 1 to 3 years of college
  - 6 College graduate
  - 7 Postgraduate work
61. Are you (circle the number of your answer)?
- 1 A citizen or national of the United States
  - 2 An alien lawfully admitted for permanent residence
  - 3 An alien authorized by the Immigration and Naturalization Service to work in the United States

62. Are you a registered voter (circle the number of your answer)?
- 1 Yes
  - 2 No
63. Are you a U.S. military veteran (circle the number of your answer)?
- 1 Yes
  - 2 No
64. Do you qualify for U.S. military benefits (circle the number of your answer)?
- 1 Yes
  - 2 No
  - 3 Do not know
65. Your activities in the community (circle the number(s) of all responses that apply for your answer(s.):

	Daily	Weekly	Monthly	Rarely
You volunteer in your community .....	1	1	1	1
You participate in religious worship .....	2	2	2	2
You take part in senior activities .....	3	3	3	3
You visit friends and relatives .....	4	4	4	4
Your friends and relatives visit you .....	5	5	5	5

66. You volunteer at the (circle the numbers(s) of all responses that apply for your answer(s).)

	Daily	Weekly	Monthly	Rarely
1 Hospital .....	1	1	1	1
2 Nursing home .....	2	2	2	2
3 School .....	3	3	3	3
4 Library .....	4	4	4	4
5 Senior center .....	5	5	5	5
6 Other, please explain .....				
7 You do not volunteer .....				

67. a. Please indicate the State where you live. \_\_\_\_\_

b. Please indicate the county where you live. \_\_\_\_\_

c. Do you live inside the limits of a city, town, borough, or village? \_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, please provide the name. \_\_\_\_\_

68. Please tell us the three most important things we can do to serve you.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

69. Did you complete the questionnaire (circle the number of your answer)?

- 1 Without assistance
- 2 With assistance

Thank you!

### Occupational Safety and Health Administration

[Docket No. NRTL–2–92]

### Canadian Standards Association

**AGENCY:** Occupational Safety and Health Administration, Department of Labor.

**ACTION:** Notice of expansion of current recognition as a nationally recognized testing laboratory.

**SUMMARY:** This notice announces the Agency's final decision on the Canadian Standards Association application for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7.

**FOR FURTHER INFORMATION CONTACT:** Office of Variance Determination, NRTL Recognition Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution

Avenue, NW., Room N3653, Washington, DC 20210.

### SUPPLEMENTARY INFORMATION:

#### Notice of Final Decision

The Canadian Standards Association previously made application pursuant to section 6(b) of the Occupational Safety and Health Act of 1970, (84 Stat. 1593, 29 U.S.C. 655), Secretary of Labor's Order No. 1–90 (55 FR 9033), and 29 CFR 1910.7, for recognition of its Rexdale (Toronto) facility as a Nationally Recognized Testing Laboratory (see 57 FR 23429, 6/3/92; amended 57 FR 48804, 10/28/92), and was so recognized (see 57 FR 61452, 12/24/92); made application for expansion of the recognition of its Rexdale facility (see 58 FR 64973, 12/10/93), and was so recognized of its (see 59 FR 5447, 2/4/94); made application for inclusion of its Pointe-Claire, Richmond, Edmonton, Moncton, and Winnipeg facilities in the recognition of its Rexdale facility as an NRTL (see 59 FR 10173, 3/3/94), and was so recognized (see 59 FR 40602, 8/9/94); and subsequently made

application for expansion of its recognition as an NRTL (see 58 FR 64973, 12/10/93, and so recognized (see 59 FR 5446, 2/4/94).

CSA applied for expansion of its current recognition as a Nationally Recognized Testing Laboratory for 51 test standards (of which 31 were determined to be appropriate standards) pursuant to 29 CFR 1910.7, which was published in the **Federal Register** on December 8, 1994 (59 FR 63383). No comments were received concerning this request for expansion.

Notice is hereby given that CSA's recognition as a Nationally Recognized Testing Laboratory has been expanded to include the 31 test standards (product categories) listed below.

Copies of all pertinent documents (Docket No. NRTL-2-92), are available for inspection and duplication at the Docket Office, Room N-2634, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

The addresses of the laboratories covered by this recognition are:

Canadian Standards Association,  
Rexdale (Toronto) Facility, 178  
Rexdale Boulevard, Rexdale, Ontario  
M9W1R3, Canada  
Canadian Standards Association,  
Pointe-Claire (Montreal) Facility, 865  
Ellingham Street, Pointe-Claire,  
Quebec H9R 5E8, Canada  
Canadian Standards Association,  
Richmond (Vancouver) Facility,  
13799 Commerce Parkway,  
Richmond, British Columbia V6V  
2N9, Canada  
Canadian Standards Association,  
Edmonton Facility, 1707-94th Street,  
Edmonton, Alberta T6N 1E6, Canada  
Canadian Standards Association,  
Moncton Facility, 40 Rooney  
Crescent, Moncton, New Brunswick  
E1E 4M3, Canada  
Canadian Standards Association,  
Winnipeg Facility, 50 Paramount  
Road, Winnipeg, Manitoba R2X 2W3,  
Canada.

#### Final Decision and Order

Based upon the facts found as part of the Canadian Standards Association's original recognition, including details of necessary test equipment, procedures, and special apparatus or facilities needed, adequacy of the staff, the application, amendments, and documentation submitted by the applicant, the OSHA staff finding including the original On-Site Review Report, as well as the evaluation of the current request, OSHA finds that the Canadian Standards Association has met the requirements of 29 CFR 1910.7

for expansion of its present recognition to test and certify certain equipment or materials.

Pursuant to the authority in 29 CFR 1910.7, the CSA's recognition is hereby expanded to include the 31 additional test standards (product categories) cited below, subject to the conditions listed below. This recognition is limited to equipment or materials which, under 29 CFR Part 1910, require testing, listing, labeling, approval, acceptance, or certification by a Nationally Recognized Testing Laboratory. This recognition is limited to the use of the following 31 additional test standards for the testing and certification of equipment or materials included within the scope of these standards.

CSA has stated that these standards are used to test equipment or materials which can be used in environments under OSHA's jurisdiction, and OSHA has determined that they are appropriate within the meaning of 29 CFR 1910.7(c).

ANSI/IEEE C37.20.1—Metal-Enclosed Low-Voltage Power Circuit-Breaker Switchgear  
ANSI/IEEE C37.20.2—Metal-Clad and Station-Type Cubicle Switchgear  
ANSI/IEEE C37.20.3—Metal-Enclosed Interrupter Switchgear  
ANSI/IEEE C37.21—Control Switchboards  
ANSI/IEEE C37.23—Metal Enclosed Bus and Calculating Losses in Isolated-Place Bus  
ANSI/IEEE C37.41—Design Tests for High-Voltage Fuses, Distribution Enclosed Single Pole Air Switches, Fuse Disconnecting Switches and Accessories  
ANSI/IEEE C37.46—Specifications for Power Fuses and Fuse Disconnecting Switches  
ANSI/IEEE C37.54—Indoor Alternating-Current High Voltage Circuit Breakers Applied as Removable Elements in Metal-Enclosed Switchgear, Assemblies—Conformance Test Procedures  
ANSI/IEEE C37.55—Metal-Clad Switchgear Assemblies—Conformance Test Procedures  
ANSI/IEEE C37.57—Metal-Enclosed Interrupter Switchgear Assemblies—Conformance Testing  
ANSI/IEEE C37.58—Indoor AC Medium-Voltage Switches for Use in Metal-Enclosed Switchgear—Conformance Testing Procedures  
ANSI/IEEE C37.121—Unit Substations—Requirements  
ANSI/IEEE C62.11—Metal Oxide Surge Arresters for AC Power Circuits  
UL 13—Power-Limited Circuit Cables  
ANSI/UL 508C—Power Conversion Equipment

ANSI/UL 611—Central-Station Burglar-Alarm Systems  
ANSI/UL 636—Holdup Alarm Units and Systems  
UL 858A—Safety-Related Solid-State Controls for Electric Ranges  
UL 1424—Cables for Power-Limited Fire-Protective-Signaling Circuits  
UL 1651—Optical Fiber Cable  
UL 1690—Data-Processing Cable  
UL 1776—High-Pressure Cleaning Machines  
UL 1951—Electric Plumbing Accessories  
UL 1993—Self-Ballasted Lamps and Lamp Adapters  
UL 1996—Duct Heaters  
UL 2044—Commercial Closed Circuit Television Equipment  
UL 2083—Halon 1301 Recovery/Recycling Equipment  
UL 2601-1—Medical Electrical Equipment  
UL 3101-1—Electrical Equipment for Laboratory Use; Part 1: General Requirements  
UL 3111-1—Electrical Measuring and Test Equipment; Part 1: General Requirements  
UL 8730-1—Electrical Controls for Household and Similar Use; Part 1: General Requirements

The Canadian Standards Association must also abide by the following conditions of the expansion of its recognition, in addition to those already required by 29 CFR 1910.7:

This recognition does not apply to any aspect of any Canadian Standards Association program which is available only to qualified manufacturers and is based upon the NRTL's evaluation and accreditation of the manufacturer's quality assurance program;

The Occupational Safety and Health Administration shall be allowed access to CSA's facilities and records for purposes of ascertaining continuing compliance with the terms of its recognition and to investigate as OSHA deems necessary;

If CSA has reason to doubt the efficacy of any test standard it is using under this program, it shall promptly inform the test standard developing organization of this fact and provide that organization with appropriate relevant information upon which its concerns are based;

CSA shall not engage in or permit others to engage in any misrepresentation of the scope or conditions of its recognition. As part of this condition, CSA agrees that it will allow no representation that it is either a recognized or an accredited Nationally Recognized Testing Laboratory (NRTL) without clearly indicating the specific

equipment or material to which this recognition is tied, or that its recognition is limited to certain products;

CSA shall inform OSHA as soon as possible, in writing, of any change of ownership or key personnel, including details;

CSA will continue to meet the requirements for recognition in all areas where it has been recognized; and

CSA will always cooperate with OSHA to assure compliance with the letter as well as the spirit of its recognition and 29 CFR 1910.7.

#### Effective Date

This recognition will become effective on March 24, 1995, and will be valid until December 24, 1997, (a period of five years from the date of the original recognition, December 24, 1992), unless terminated prior to that date, in accordance with 29 CFR 1910.7.

Signed at Washington, DC this 20th day of March, 1995.

**Joseph A. Dear,**

*Assistant Secretary.*

[FR Doc. 95-7366 Filed 3-23-95; 8:45 am]

BILLING CODE 4510-26-M

#### Pension and Welfare Benefits Administration

[Application No. D-09602]

#### Proposed Class Exemption for Plan Asset Transactions Determined by In-House Asset Managers

**AGENCY:** Pension and Welfare Benefits Administration, Labor.

**ACTION:** Notice of proposed class exemption.

**SUMMARY:** This document contains a notice of pendency before the Department of Labor (the Department) of a proposed class exemption from certain prohibited transaction restrictions of the Employee Retirement Income Security Act (ERISA or the Act) and from certain taxes imposed by the Internal Revenue Code of 1986 (the Code). If granted, the proposed exemption would exempt various transactions involving employee benefit plans whose assets are managed by in-house managers (INHAMS), provided that the conditions of the proposal are met. The proposed exemption, if granted, would affect participants and beneficiaries of employee benefit plans, the sponsoring employers of such plans, INHAMS, and other persons engaging in the described transactions.

**DATES:** Written comments and requests for a hearing must be received by the Department on or before May 8, 1995.

**ADDRESSES:** All written comments and requests for a public hearing (preferably 3 copies) should be sent to: Pension and Welfare Benefits Administration, Office of Exemption Determinations, Room N-5649, 200 Constitution Avenue, NW, Washington, DC 20210, Attention: CIEBA Class Exemption Proposal. The application for exemption (Application Number D-9602), as well as all comments received from interested persons, will be available for public inspection in the Public Documents Room, Pension and Welfare Benefits Administration, U.S. Department of Labor, Room N-5638, 200 Constitution Avenue, NW, Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Virginia J. Miller, Office of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor, Washington, DC 20210 (202) 219-8971 (not a toll-free number); or Paul D. Mannina, Plan Benefits Security Division, Office of the Solicitor, U.S. Department of Labor, Washington, DC 20210 (202) 219-9141 (not a toll free number.)

**SUPPLEMENTARY INFORMATION:** This document contains a notice of pendency before the Department of a proposed class exemption from certain of the restrictions of sections 406 and 407(a) of ERISA and from certain taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1) of the Code. The proposed exemption was requested in an application dated December 16, 1993, submitted by the Committee on Investment of Employee Benefits Assets (CIEBA)<sup>1</sup> pursuant to section 408(a) of ERISA and section 4975(c)(2) of the Code, and in accordance with the procedures set forth in 29 CFR section 2570 subpart B (55 FR 32836, August 10, 1990).<sup>2</sup>

#### I. Background

On March 13, 1984, the Department granted Prohibited Transaction Exemption 84-14 (PTE 84-14) (49 FR 9494), a class exemption which permits various parties who are related to employee benefit plans to engage in transactions involving plan assets if,

<sup>1</sup> CIEBA is a committee of the Financial Executives Institute, an organization whose membership is made up of senior financial executives in corporations engaged in, among other things, banking, manufacturing, and insurance.

<sup>2</sup> Section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978), effective December 31, 1978 (44 FR 1065, January 3, 1979), generally transferred the authority of the Secretary of the Treasury to issue exemptions under section 4975(c)(2) of the Code to the Secretary of Labor. In the discussion of the exemption, references to sections 406 and 408 of the Act should be read to refer as well to the corresponding provisions of section 4975 of the Code.

among other conditions, the assets are managed by a "qualified professional asset manager" (QPAM), which is independent of the parties in interest and which meets specified financial standards. Additional exemptive relief is provided for employers to furnish limited amounts of goods and services in the ordinary course of business. Limited relief is also provided for leases of office or commercial space between managed funds and QPAMs or contributing employers.

The QPAM exemption was proposed by the Department on its own motion in an effort to give institutional managers greater flexibility to engage in a variety of beneficial transactions which would otherwise have been prohibited by ERISA, without sacrificing the interests of plan participants and beneficiaries. In its proposal for the QPAM exemption, the Department noted its belief that, as a general matter, transactions entered into on behalf of plans with parties in interest are most likely to conform to ERISA's general fiduciary standards where the decision to enter into the transaction is made by an independent fiduciary. Thus, the relief contained in the QPAM exemption was predicated upon the existence of a professional asset manager who is solely responsible for the discretionary management of plan assets that are transferred to its control.

The QPAM exemption did not provide relief for transactions involving the assets of plans managed by in-house asset managers. Nonetheless, in granting the QPAM exemption, the Department noted that the grant of the QPAM exemption did not foreclose future consideration of additional exemptive relief for transactions involving plan assets that are not managed by "QPAMs" or for transactions which do not meet all of the conditions of PTE 84-14. The Department further stated that it would consider pursuing additional exemptive relief for transactions involving assets of plans managed by in-house managers if the requisite findings under section 408(a) could be made.

CIEBA, in its application, has requested exemptive relief for in-house managers similar to that available to outside managers under the QPAM exemption. CIEBA represents that in-house managers encounter technical problems under the prohibited transaction rules of ERISA in the course of considering arm's-length transactions that would be in the interests of their plans. The applicant believes that the narrowly focused relief requested, combined with the conditions and restrictions built into the exemption,